

07-11-01

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Seq

NON-PROVISIONAL  
UTILITY PATENT APPLICATION  
TRANSMITTAL - 37 CFR 1.53(b)

☐ Duplicate  
(check, if applicable)

07/10/01  
JC355 U.S. PTO

Assistant Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, DC 20231

Attorney Docket No. 053884-5001  
First Named Inventor: Michael Econs  
Express Mail Label No. EL719361875  
Total Pages of Transmittal Form: 2

JC378 U.S. PTO  
09/901938  
07/10/01

Transmitted herewith for filing is the non-provisional utility patent application entitled:

NOVEL FIBROBLAST GROWTH FACTOR (FGF23) AND METHODS FOR USE

which is:

an ☒ Original; or

a ☐ Continuation, ☐ Divisional, or ☐ Continuation-in-part (CIP)

of prior Application No. \_\_\_\_\_ filed \_\_\_\_\_.

Anticipated Group/Art Unit: \_\_\_\_\_ or Class \_\_\_\_\_, Subclass \_\_\_\_\_.

☒ This non-provisional patent application is based on Provisional Patent Application  
No. 60/219,137, filed July 19, 2000.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 76 pages.
- ☐ Application Data Sheet.
- ☒ Newly unexecuted Declaration (original/copy).
- ☐ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☐ [19] sheets of drawings (formal) plus one copy.
- ☐ Microfiche computer program (Appendix).
- ☒ Nucleotide and/or Amino Acid Sequence Submission, including:
  - ☒ Computer readable copy
  - ☒ Paper Copy
  - ☒ Verified Statement.
- ☐ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☒ Name of Assignee: Advanced Research & Technology Institute and Ludwig-Maximilians-Universitat Munchen
- ☐ Certified copy(ies) of \_\_\_\_\_ Application No(s). \_\_\_\_\_ filed \_\_\_\_\_ is/are filed:
  - ☐ herewith
  - ☐ or
  - ☐ in prior application &@.
- ☒ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☒ a Non-Profit Organization.
- ☐ Preliminary Amendment.
- ☐ Information Disclosure Statement, PTO-1449, and cited references.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- ☐ Other:

09901938-071001

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE: \$355			BASIC FEE: \$710	
Total	83-20 =	63	X9	\$567.00	OR	X18	\$
Independent	27- 3=	24	X40	\$960.00	OR	X80	\$
[ ] Multiple Dependent Claims Present			\$135	\$	OR	\$270	\$
			<b>TOTAL</b>	<b>\$ 1882.00</b>	<b>OR</b>	<b>TOTAL</b>	<b>\$</b>

- [ ] **The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.**
- [X] A check in the amount of \$1882.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310 (Billing No. 053884-5001)** as noted below. A duplicate copy of this sheet is enclosed.
- [X] Any overpayments or deficiencies in the above-calculated fee.
- [ ] Filing fee in the amount of \$\_\_\_\_\_ as calculated above.
- [X] Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- [X] In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

**CORRESPONDENCE ADDRESS:**

July 10, 2001  
(Date)

By:

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KD/kck  
Enclosures

EXPRESS MAIL NUMBER: EL719361875US

**PATENT  
BOX SEQUENCE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Econs, <i>et al.</i>	: Group Art Unit: NOT YET : ASSIGNED :
Appln. No:	NOT YET ASSIGNED	: Examiner: NOT YET ASSIGNED :
Filed:	July 10, 2001	: Attorney Docket : No. 053884-5001
Title:	NOVEL FIBROBLAST GROWTH FACTOR (FGF23) AND METHODS FOR USE	: :

**STATEMENT TO SUPPORT FILING AND SUBMISSION  
IN ACCORDANCE WITH 37 CFR §§ 1.821 THROUGH 1.825**

- (X) I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §1.821(c) and (e), respectively are the same.
- (X) I hereby state that the submission filed in accordance with 37 C.F.R. §1.821(g) does not include new matter.
- ( ) I hereby state that the submission filed in accordance with 37 C.F.R. §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- ( ) I hereby state that the amendments, made in accordance with 37 C.F.R. §1.825(a), included in the initial/substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at Figure 10. I hereby state that the substitute sheets(s) of the Sequence Listing do not include new matter.
- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(b), is the same as the amended Sequence Listing.

TOPT-20-8661050

( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. §1.825(d), contains identical data to that originally filed.

Respectfully submitted,

Econs, *et al.*

July 10, 2001  
(Date)

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Enclosures